

Order

(2/24/05) CCG N002

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Washington Mutual Bank

v.

William Moore et alNo. OSCH 11441

## ORDER

This cause is coming on to be heard  
 on Defendants Motion to Quash + or file app.  
 Vacate Technical Default + Leave to Answer or  
 Plead.

IT IS ORDERED:

- ① Defendant is granted 38 days and up and until July 11, 2008 to answer or otherwise plead.
- ② Defendants motion to quash is withdrawn.

Atty. No.: 37273Name: William B. Moore

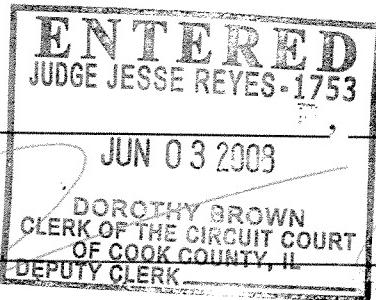
ENTERED:

Atty. for: Defendants

Dated:

Address: P.O. Box 403

JUN 03 2008

City/State/Zip: Matteson IL 60443Telephone: 708-268-3495

Judge

Judge's No. 1253

EXHIBIT A

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

**WASHINGTON MUTUAL** CLERK OF THE CIRCUIT COURT

,  
**Plaintiffs,**  
v.

**MOORE et., al.**  
**Defendants.**

2008 JUL 11 PM 2:30 08 CH 11441

**NOTICE OF MOTION**

To: Fisher and Shapiro, LLC  
4201 Lake Cook Road  
Northbrook, IL 60062

PLEASE TAKE NOTICE that on July 8/19, at 9:45 a.m. I shall appear before the Honorable Presiding Judge Jesse Reyes, in Room 2809 of the Richard J. Daley Center, 50 W. Washington St., Chicago, Illinois, and present the attached Motion for an Extension of Time and/or Stay of Proceedings. A copy of which is hereby served upon you.

  
\_\_\_\_\_  
Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I, William D. Moore, certify that I served the above listed individual(s) the attached filing by mailing a copy to Defendants' attorney at the address listed above on

July 13 2008.

  
\_\_\_\_\_  
One of Plaintiff's Attorneys

**WILLIAM D. MOORE**  
Attorney for the Plaintiff  
P.O. Box 403  
Matteson, IL 60443  
708-268-3495  
Firm No. 37273

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

<p><b>WASHINGTON MUTUAL</b> )            , )  <b>Plaintiffs,</b> )            v. )  <b>MOORE et., al.</b> )  <b>Defendants.</b> )</p>	<p>)            )            )            )            )            )  <b>08 CH 11441</b></p>
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**MOTION FOR AN EXTENSION OF TIME, AND/OR STAY OF PROCEEDINGS**

Now come the Defendants, by and through their attorney William D. Moore, pursuant to Supreme Court Rule 183 for and extension of time to file their Answer or otherwise plead to Plaintiff's Complaint and/or a Stay of Proceedings. In support of this Motion, Defendants state as follows:

1. On June 3, 2008, Defendants were granted leave to file their Answer to Plaintiff's Complaint including and until July 11, 2008.
2. Defendants have also filed a complaint against Plaintiffs. Said complaint is currently pending in the U.S. District Court under case number 08 CV 00596. The issues alleged by Defendants in the federal complaint arose out of the same transaction or occurrence and challenge Plaintiff's right to pursue the foreclosure action against defendants.
3. After reviewing and/or hearing the basis of Defendants' complaint, U.S. District Judge, Ruben Castillo referred the matter to Magistrate Judge Sidney I Schenkier "for the purposes of holding proceedings related to: settlement conference."
4. Said conference is tentatively scheduled for August 28, 2008, pending confirmation from Plaintiff's counsel.
5. Defendants believe that the settlement conference will provide a means to resolve the dispute that has arisen between the parties, and therefore seek for an extension and/or stay of these proceedings until after said date.
6. Defendants request for an extension of time is not made for the purposes of

FED - CH  
CLERK OF THE CIRCUIT COURT  
OF APPEALS FOR THE  
NINTH CIRCUIT

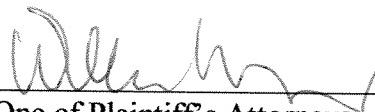
docket.

7. The granting of Defendants' motion will be for good cause shown and judicial economy, and will not cause any prejudice to Plaintiff.

WHEREFORE, the Defendants respectfully requests that this honorable Court:

- A. Enter an order granting them and Extension of Time in which to Answer or Otherwise Plead to Plaintiff's Complaint;
- B. Stay the Proceedings in this Action, until such time after August 28, 2008;
- C. Such other relief that is just and equitable.

Respectfully Submitted,



One of Plaintiff's Attorneys

**WILLIAM D. MOORE**  
**Attorney for the Plaintiff**  
**P.O. Box 403**  
**Matteson, IL 60443**  
**708-268-3495**  
**Firm No. 37273**

RECEIVED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

JUL 14 2008

MICHAEL W. DUBBINS  
CLERK, U.S. DISTRICT COURT

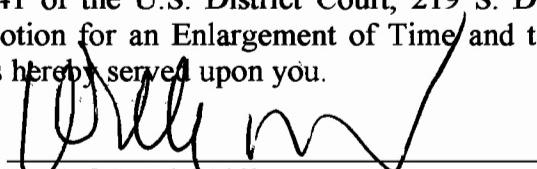
WILLIAM MOORE AND YVONNE MOORE )  
Plaintiffs, ) 08 C 596  
v. )  
HONORABLE RUBEN CASTILLO  
WASHINGTON MUTUAL BANK, FA, )  
Defendant. )

NOTICE OF MOTION

To: Glen Heilizer, Esq.  
Law Offices of Glen Heilizer  
Five North Wabash Avenue, Ste. 1304  
Chicago, IL 60602

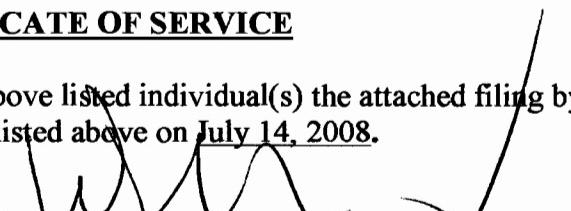
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PLEASE TAKE NOTICE that on July 24 2008, at 9:45 a.m. I shall appear before the Honorable Judge Ruben Castillo, in Room 2141 of the U.S. District Court, 219 S. Dearborn, St., Chicago, Illinois, and present the attached Motion for an Enlargement of Time and to Join and Additional Party Defendant. A copy of which is hereby served upon you.

  
One of the Plaintiffs

CERTIFICATE OF SERVICE

I, William Moore, certify that I served the above listed individual(s) the attached filing by mailing a copy to Defendant's attorney at the address listed above on July 14, 2008.

  
One of the Plaintiffs

**WILLIAM and YVONNE MOORE  
6219 W. Old Plank Blvd.  
Matteson, IL 60443  
708-268-3495**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

RECEIVED

JUL 14 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**WILLIAM MOORE AND YVONNE MOORE )**  
**Plaintiffs, ) 08 C 596**  
v. )  
 )  
**WASHINGTON MUTUAL BANK, FA, ) HONOR**  
**Defendant. )**

**MOTION FOR AN ENLARGEMENT OF TIME AND TO JOIN AN ADDITIONAL PARTY DEFENDANT**

Now come the Plaintiffs, William Moore and Yvonne Moore, pursuant to Federal Rule 6  
(b)(1) for and Enlargement of Time of thirty (30) days from the filing of this motion, to File a  
Response to Defendants Motion to Dismiss, and Plaintiff's Motion to Join an Additional Party  
Defendant, pursuant to Federal Rule 20. In support of this Motion, Plaintiffs state as follows:

1. On June 12, 2008, Plaintiffs were given until July 14, 2008 to respond to Defendant's Motion to Dismiss.
  2. Plaintiffs have sought the assistance legal counsel in this matter, and have tendered various documents to counsel for review. However, Plaintiffs have experienced difficulty with contacting and/or receiving a response from said legal counsel.
  3. Due to the delay, Plaintiffs will need additional time to respond to Defendant's Motion to Dismiss and/or file an amended complaint in this matter.
  4. Plaintiff's request for an extension of time is not made for the purposes of harassment, or disregard for the Court's authority to administer and control its own docket.
  5. At the time of filing their responsive pleading, Plaintiffs expect that they will need to add an additional defendant in this matter, because Defendant, Washington Mutual, has indicated that it is not a debt collector as defined by the Fair Debt Collection Practices

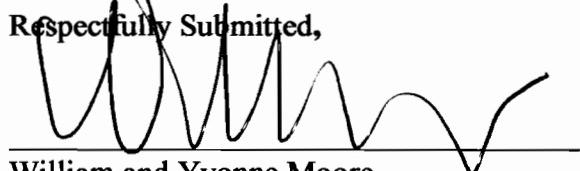
Act. For this reason, Plaintiffs seek to join its Fisher and Shapiro, LLC as a Party defendant because of the actions taken by Fisher and Shapiro, LLC against Plaintiffs, as agent for Defendant. See Tolentino v. Friedman, 46 F.3d 645 (7<sup>th</sup> Cir. 1995), where the Court held that a lawyer engaged in consumer debt collection was a “debt collector” and not exempt from the requirements of the Act.

6. Rule 20 of the Federal Rules of Civil Procedure states in part that “all persons . . . may be joined in one action as defendants if there is asserted against them jointly, severally, or in the alternative, any right to relief in respect of or arising out of the same transaction, occurrence, or series of transactions or occurrences and if any question of law or fact common to all defendants will arise in the action.”

7. The granting of Plaintiffs’ motion will be for good cause shown and judicial economy, and will not cause any prejudice to Defendant.

**WHEREFORE**, the Plaintiffs respectfully request that this honorable Court:

- A. Enter an order granting them and Extension of Time in which to File a Responsive Pleading to Defendant’s Motion to Dismiss;
- B. Enter an order granting Plaintiffs Leave to Add Fisher and Shapiro as a Party Defendant;
- C. Such other relief that is just and equitable.

Respectfully Submitted,  
  
 William and Yvonne Moore

**WILLIAM & YVONNE MOORE**  
**Plaintiffs**  
**6219 W. Old Plank Blvd.**  
**Matteson, IL 60443**  
**708-268-3495**

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
MUNICIPAL DEPARTMENT, FIRST DISTRICT

2006 OCT 24 PM 3:02  
**WILLIAM MOORE,**

*Plaintiff*, DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL No. 06 CH 05010

)  
vs.  
)  
)  
)  
VILLAGE OF DIXMOOR,  
a municipal corporation, and  
FRED CODY, individually and as  
agent and/or employee of the  
Village of Dixmoor,  
*Defendants.*  
)

**FIRST AMENDED COMPLAINT**

NOW COMES Plaintiff, WILLIAM MOORE, by and through his attorney William D. Moore, complaining of Defendant(s), VILLAGE OF DIXMOOR, a municipal corporation and FRED CODY individually and as agent and/or employee of the Village of Dixmoor and states as follows:

**Count I**  
**Violation of Due Process**

1. At all times material hereto, Plaintiff is the owner of a real property situated at 14225 S. Wood Street, Village of Dixmoor, Illinois County of Cook (hereinafter, the premises). Photographs of the premises are attached hereto as Group Exhibit A.
2. Plaintiff, William Moore is also an attorney that works in the area of Public Interest Law as an Affordable Housing Rights Advocate, that assists low to moderate income tenants improve their living conditions. Plaintiff has appeared in both the First and Sixth Municipal Districts of Cook County advocating on behalf of tenants.
3. Defendant, Village of Dixmoor is a municipal corporation organized under the laws of the State of Illinois.
4. On information and belief, at all times material hereto, Fred Cody, is the agent and or employee and Building Inspector for the Village of Dixmoor.

